

IN THE UNITED STATES RECEIVING OFFICE

In the **PATENT APPLICATION** of:

Lehmann et al.

U.S. Appln. No.: 10/009,131

PCT Appln No. : PCT/EP00/03860

Filed: 5 November 2001

For: DEVICE FOR PERFORMING
ANALYSES ON CELL CULTURES

Group: Not Yet Known

Examiner: Not Yet Known

Our File: WMP-PT002
(MIC140US)

Date: 7 November 2002

**PETITION UNDER 37 C.F.R. §1.47(a) TO ACCEPT DECLARATION ON
BEHALF OF INVENTOR WHO REFUSES TO SIGN**

Box PCT
Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants hereby petition the Commissioner under 37 C.F.R. §1.47(a) to accept the signed Declaration and Power of Attorney of the remaining inventors besides Bernhard Wolf, who refuses to sign the declaration. Submitted herewith in support of the petition are the following:

1. A Declaration and Power of Attorney (submitted with the accompanying response to Notice to File Missing Parts) signed by all of the inventors of the above application, except that the signature space for the inventor who refuses to sign, Bernhard Wolf, has been left blank; and

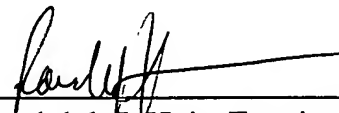
2. A check in the \$130 to cover the petition fee under 37 C.F.R. §1.17(i). The last known address of Bernhard Wolf is set forth in the Declaration and Power of Attorney.

Although Mr. Wolf may eventually be persuaded to join in the above application, this petition is being filed and the application is being made by the other inventors on behalf of themselves and the non-signing inventor, because of the time for responding to the Notification of Missing Requirements under 35 U.S.C. §371, and so as not to jeopardize the filing date or any other rights of the inventors and the Assignee in the present application.

The Assignee has diligently attempted to contact Mr. Wolf since prior to November 6, 2001 in order to have the required inventor Declaration for this application signed, and has been unsuccessful to date in obtaining his signature after diligent efforts. Accordingly, grant of this petition and further processing of the application are respectfully requested.

Respectfully submitted,

Lehmann et al.

By 
Randolph J. Huis, Esquire
Registration No. 34,626
(215) 568-6400

Volpe and Koenig, P.C.
Suite 400, One Penn Center
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103

Enclosures